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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,723	08/03/2000	Richard Louis Arndt	AUS9-2000-0316-US1	9219

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EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 09/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/631,723

Applicant(s)

ARNDT ET AL.

Examiner

Christopher E. Lee

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Receipt Acknowledgement***

1. In view of the appeal brief filed on 8<sup>th</sup> of August 2003, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Response to Arguments***

2. Appellants' arguments, see pages 5 and 6, filed 8<sup>th</sup> of August 2003, with respect to the rejection of exemplary claim 1 under 35 U.S.C. 103(a) as being unpatentable over Ahrens et al. [US 6,230,265] in view of Berglund et al. [US 6,044,411] have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of a different interpretation of the previously applied/cited references, such that the claims 1, 3, 8, 10, 15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Berglund et al. [US 6,044,411], claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) obviousness of the combination of Berglund et al. [US 6,044,411] and Sidhu et al. [US 5,884,322], and claims 4, 6, 7, 11, 13, 14, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) obviousness of the combination of Berglund et al. [US 6,044,411], Sidhu [US 5,884,322] and Lortz et al. [US 6,041,364; hereinafter Lortz].

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 8, 10, 15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Berglund et al. [US 6,044,411; hereinafter Berglund].

*Referring to claims 8 and 15*, Berglund discloses a computer program product (i.e., firmware in SPCN 109 and OS in Fig. 1A) in a computer readable media (i.e., SPCN local memory and system memory for OS in Fig. 1) for use in a data processing system (e.g., CEC 101 and enclosures 103 and 105 in Fig. 1A-C) for managing input/output drawers (See col. 1, lines 9-12) within said data processing system, said computer program product comprising: first instructions for assigning (i.e., defining) a unique identifier (i.e., unique physical location address; See col. 7, lines 40-44 and 47) to each of a plurality of input/output drawers (i.e., backplane 113, 113A, 113B1 and 113B2 in Fig. 1A-C); and second instructions for storing (i.e., writing) said unique identifier in memory (See col. 7, lines 44-48); wherein said unique identifier (i.e., unique physical location address) is used by an operating system to identify said plurality of input/output drawers regardless of how said input/output drawers are interconnected by cables (See Abstract; i.e., wherein in fact that an operating system uses said stored physical location indication to correlate logical addresses to physical location anticipates said unique identifier is used by an operating system to identify said plurality of input/output drawers (viz., to indicate location of said plurality of input/output drawers) regardless of how said input/output drawers are interconnected by cables (viz., through said correlation between said input/output drawers and said logical addresses of them; See col. 14, lines 23-26)), such that addresses (i.e., logical addresses) used when accessing devices

(e.g., PCI slots 1 to 8 for PCI devices) contained within said plurality of input/output drawers (i.e., backplane 113, 113A, 113B1 and 113B2 in Fig. 1A-C) do not change (i.e., logical addresses, which are used by operating system, are not changed even if the unique physical location addresses are changed. Only the mapping between said logical addresses and said unique physical location addresses is changed) when reconfiguring at least one of said input/output drawers within said data processing system (See col. 7, lines 12+; i.e., wherein in fact that SPCN electronically determines the backplanes in the enclosures and build a mapping of logical address to physical location address for each backplane and its slots anticipates that system firmware dynamically discovers the I/O drawers and assigned memory mapping to each one of drawers and its PHBs. This anticipation supports that the limitation “addresses used when accessing devices contained within said plurality of input/output drawers do not change when reconfiguring at least one of said input/output drawers within said data processing system”).

*Referring to claims 10 and 17*, Berglund teaches said first and second instructions are executed in a service processor (See col. 7, lines 40-48).

*Referring to claim 1*, the method steps of claim 1 are inherently performed by the apparatus of claim 15, and therefore the rejection of claim 15 applies to claim 1.

*Referring to claim 3*, the method steps of claim 3 are inherently performed by the apparatus of claim 17, and therefore the rejection of claim 17 applies to claim 3.

#### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berglund [US 6,044,411] as applied to claims 1, 3, 8, 10, 15 and 17 above, and further in view of Sidhu et al. [US 5,884,322; hereinafter Sidhu].

*Referring to claims 9 and 16*, Berglund, discussed above, discloses all the limitations of the claims 9 and 16, respectively, except that does not teach third instructions, responsive to a determination that a new input/output drawer has been added to said data processing system, for assigning a new unique identifier to said new input/output drawer.

Sidhu discloses a method and apparatus for creating and assigning unique identifiers for network entities and data base items in a networked computer system, wherein third instructions, responsive to a determination (See block 100 in Fig. 4) that a new input/output drawer (i.e., new server entity) has been added (i.e., installed) to said data processing system (i.e., networked computer system 10 of Fig. 1; See col. 10, lines 23-25), for assigning (See block 104 in Fig. 4) a new unique identifier (i.e., unique server identification) to said new input/output drawer (i.e., new server entity; See col. 10, lines 30-31), wherein said new unique identifier is different from any of said unique identifiers previously assigned (See col. 10, lines 32-35 and col. 11, lines 37-40), such that each of said plurality of input/output drawers (i.e., server entities) maintains the same unique identifier (See col. 10, lines 58-61; i.e., wherein in fact that a server entity (i.e., input/output drawer) assigns a unique identification (i.e., unique identification) from its set of available server identifications and removes the assigned identification from the set implies each of said plurality of input/output drawers (i.e., server entities) maintains the same unique identifier (i.e., the same unique identification)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said third instructions, as disclosed by Sidhu, in said computer program product, as disclosed by Berglund, for the advantage of providing a means for appropriating identifications in a manner which is consistent with input/output drawer use(i.e., network use), thereby reducing the number of unique identifications (i.e., the number of identifications) that remain dormant because of inactivity on said input/output drawer (i.e., the server) which owns those identifications (See Sidhu, col. 4, lines 17-21).

*Referring to claims 12 and 19*, Berglund teaches said unique identifier (i.e., unique physical location address) comprise device nodes (i.e., unique enclosure addresses) and location codes (i.e., unique backplane addresses). Refer to col. 7, lines 40-44.

*Referring to claim 2*, the method steps of claim 2 are inherently performed by the apparatus of claim 16, and therefore the rejection of claim 16 applies to claim 2.

*Referring to claim 5*, the method steps of claim 5 are inherently performed by the apparatus of claim 19, and therefore the rejection of claim 19 applies to claim 5.

7. Claims 4, 6, 7, 11, 13, 14, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berglund [US 6,044,411] and Sidhu [US 5,884,322] as applied to claims 2, 9 and 16 above, and further in view of Lortz et al. [US 6,041,364; hereinafter Lortz].

*Referring to claims 11 and 18*, Berglund, as modified by Sidhu, discussed above, discloses all the limitations of the claims 11 and 18, respectively, except that does not teach said unique identifier and said new unique identifier are stored in a device tree.

Lortz teaches a system for adding a device entry to a device tree upon detecting the connection of a device, wherein said device tree (Fig. 2C) stores unique identifier (address, name and location on Device #1 272 of Fig. 2C) and an added new unique identifier (See col. 6, lines 41-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said device tree, as disclosed by Lortz, in said data processing system, as disclosed by Berglund, as modified by Sidhu, for the advantage of providing a way for associating an input/output drawer (i.e., smart device; Lortz) with particular device driver for said input/output drawer (i.e., software components, device functions, or software categories; Lortz). Refer to Lortz, col. 2, line 55 through col. 3, line 3.

*Referring to claims 13 and 20*, Lortz discloses said device tree is stored in a system memory (i.e., computer readable medium 240 of Fig. 2A).

*Referring to claims 14 and 21*, Berglund, as modified by Sidhu, discloses all the limitations of the claims 14 and 21, respectively, except that does not teach fourth instructions for updating a device tree to reflect a configuration of said data processing system after inclusion of said new input/output drawer.

Lortz teaches a system for adding a device entry to a device tree upon detecting the connection of a device, wherein fourth instructions (i.e., device tree search instructions 284 of Fig. 2A) for updating said device tree (i.e., adding to a device tree in Fig. 2C; See col. 6, lines 41-44) to reflect a configuration of said data processing system (See col. 6, lines 36-60) after inclusion of said new input/output drawer (See col. 6, lines 41-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said device tree with said fourth instructions, as disclosed by Lortz, in said data processing system, as disclosed by Berglund, as modified by Sidhu, for the advantage of providing a way for associating an input/output drawer (i.e., smart device; Lortz) with particular device driver for said input/output drawer (i.e., software components, device functions, or software categories; Lortz). Refer to col. 2, line 55 through col. 3, line 3 of Lortz.

*Referring to claim 4*, the method steps of claim 4 are inherently performed by the apparatus of claim 18, and therefore the rejection of claim 18 applies to claim 4.

*Referring to claim 6*, the method steps of claim 6 are inherently performed by the apparatus of claim 20, and therefore the rejection of claim 20 applies to claim 6.

*Referring to claim 7*, the method steps of claim 7 are inherently performed by the apparatus of claim 21, and therefore the rejection of claim 21 applies to claim 7.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 703-305-5950. The examiner can normally be reached on 9:00am - 5:00pm.

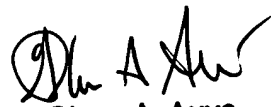


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Christopher E. Lee  
Examiner  
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cel/ *CEL*

  
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